

Docket No.: 268419US0X PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

GROUP: 1793

Martin MOERTERS, et al.

SERIAL NO: 10/530,491

EXAMINER:

FILED: April 6, 2005

FOR: PYROGENIC SILICON DIOXIDE AND A DISPERSION THEREOF

DECLARATION UNDER 37 C.F.R. § 1.132

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

SIR:

Now comes _____ who

deposes and states that:

1. I am a graduate of _____ and
received my degree in the year _____.

2. I have been employed by _____
_____ for _____ years as a _____
_____ in the field of _____.

3. That the following experiments were carried out by me or under my direct
supervision and control.

4. Example 2 of Mangold et al. (EP 0759410, EP '410) was repeated using the
parameters exactly as reported therein. The resulting powder was imaged. The powder had
the following properties:

- (1) a mean aggregate area of 46441 nm².
- (2) a mean aggregate circumference of 2119 nm.
- (3) less than 50% of the aggregates have a circumference of less than 1300 nm.

5. The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

6. Further deponent saith not.

Customer Number

22850

Signature

Date